

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-09108-RLM-11

**MOTION FOR AN EXPEDITED HEARING ON DEBTOR’S APPLICATION FOR AN
ORDER AUTHORIZING EMPLOYMENT OF OMNI MANAGEMENT GROUP, INC.
AS CLAIMS AND NOTICING AGENT PURSUANT TO 28 U.S.C. § 156(c),
EFFECTIVE AS OF THE PETITION DATE**

USA Gymnastics, as debtor and debtor in possession in the above-captioned chapter 11 case (the “**Debtor**”), hereby moves (the “**Motion**”) for the entry of an order, substantially in the form attached hereto as Exhibit A, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 9006-1(a) of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana (the “**Local Rules**”), scheduling an expedited hearing on the *Debtor’s Application For An Order Authorizing Employment Of Omni Management Group, Inc. As Claims And Noticing Agent Pursuant To 28 U.S.C. § 156(C), Effective As Of The Petition Date* (the “**Omni Application**”), and respectfully states as follows:

1. The Debtor has contemporaneously filed herewith the Omni Application, requesting an order authorizing and approving the Debtor’s employment of Omni Management Group, Inc. (“**Omni**”) as the official claims and noticing agent in connection with the administration of this chapter 11 case.

¹ The last four digits of the Debtor’s federal tax identification number are 7871. The location of the Debtor’s principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

2. The Debtor requests that the Court hear the Omni Application on an expedited basis and authorize, as of the date hereof (the “**Petition Date**”), the Debtor’s employment of Omni.

3. The Omni Application is not included within Local Rule 9013-3’s list of First Day Pleadings that automatically qualify for expedited hearing. But Bankruptcy Rule 9006(c) and Local Rule 9006-1(a) permit the expedited consideration of pleadings for cause, and the Debtor submits that in light of the immediate needs to provide noticing services, and for a case website, cause exists for an expedited hearing of the Omni Application. Courts typically allow pleadings accompanying the petition and seeking emergency relief to be heard in connection with the first hearing in the case (the “**First Day Hearing**”). *See e.g., In re hhgregg, Inc.*, Case No. 17-01302-RLM-11 (Bankr. S.D. Ind. 2017); *In re ITT Educ. Servs., Inc.*, Case No. 16-07207-JMC-7A (Bankr. S.D. Ind. 2016); *In re Sears Holdings Corp.*, Case No. 18-23538 (RDD) (Bankr. S.D.N.Y. 2018); *In re Brookstone Holdings Corp.*, Case No. 18-11780-BLS (Bankr. Del. 2018); *In re Avaya Inc.*, Case No. 17-10089 (SMB) (Bankr. S.D.N.Y. 2017); *In re Toys “R” Us, Inc.*, Case No. 17-34665 (KLP) (Bankr. E.D. Va. 2017).

4. Accordingly, consistent with Local Rule 9006-1(a), the Debtor requests the Court hear the Omni Application on an expedited basis at the Debtor’s First Day Hearing and set an objection deadline of immediately before the First Day Hearing.

CONSULTATION WITH U.S. TRUSTEE AND CLERK’S OFFICE

5. The Debtor’s counsel discussed this Motion, and the relief requested herein, with the United States Trustee for the Southern District of Indiana on December 4, 2018. The Debtor’s counsel provided notice of the filing of the chapter 11 case to the Clerk of the Court and the Chief Judge’s Courtroom Deputy on December 4, 2018.

NOTICE

6. Notice of this Motion has been provided to: (i) the U.S. Trustee; (ii) the Office of the United States Attorney for the Southern District of Indiana; (iii) the Internal Revenue Service; (iv) the U.S. Olympic Committee; (v) the Debtor's thirty (30) largest unsecured creditors; and (vi) counsel of record for the individuals who have sued USAG in the Nassar-related litigation. In light of the nature of the relief requested herein, the Debtor submits that no other or further notice is necessary.

WHEREFORE, the Debtor respectfully requests entry of an order, substantially in the form attached as Exhibit A, granting the relief requested in this Motion and granting such other relief as is just and proper.

Dated: December 5, 2018

Respectfully submitted,

JENNER & BLOCK LLP

By: /s/ Melissa M. Root

Catherine L. Steege (*pro hac vice* pending)
Dean N. Panos (*pro hac vice* pending)
Melissa M. Root (#24230-49)
353 N. Clark Street
Chicago, Illinois 60654
(312) 923-2952
csteeg@jenner.com
dpanos@jenner.com
mroot@jenner.com

Proposed Counsel for the Debtor